

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

STANLEY WASHINGTON, #526607	§	
VS.	§	CIVIL ACTION NO. 9:05cv175
DOUG DRETKE	§	

ORDER OF DISMISSAL

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Harry W. McKee, who issued a Report and Recommendation to grant the plaintiff's motion to voluntarily dismiss the lawsuit. The plaintiff has filed a response noting that he accepts the Report and Recommendation, provided that his exhibits are returned. The proviso is well taken. The Report and Recommendation of the Magistrate Judge, which contains proposed findings of fact and recommendations for the disposition of such action, has been presented for consideration, and no objections thereto having been timely filed, the Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts same as the findings and conclusions of the Court. It is therefore

**ORDERED** that the plaintiff's motion to dismiss (docket entry #16) is **GRANTED**. It is further

**ORDERED** that the complaint is **DISMISSED** without prejudice. It is further

**ORDERED** that the Clerk shall return the exhibits attached to the complaint to the plaintiff.

It is finally

**ORDERED** that all other motions by either party not previously ruled on are hereby denied.

**SIGNED** this the 13 day of **December, 2005**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield  
United States District Judge